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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATIU.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WEST DIV CINCINNATI

JERBEIN MEJIA,	:	
Petitioner,	:	Case No. C-1-01-688
v.	:	Mag. Susan M. Novotny
DON DEWITT, WARDEN,	:	Judge Arthur S. Spiegel
Respondent.	:	
	:	

MOTION FOR EXTENSION OF TIME IN WHICH TO FILE OBJECTIONS

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Now comes the Petitioner, in a pro se capacity, and hereby respectfully moves this Honorable Court for an extension of twenty (20) days in which to file objections to the Report and Recommendation of the Magistrate Judge. The reasons for the extension are as followed:

Fed. R. Civ. P. 72(b) grants 10-days to file objections after being served with a copy of the Report and Recommendation. In this instance, the Report and Recommendation was filed in the Court on December 30, 2003 and was sent to Petitioner via certified mail the same day. Petitioner though, only received his copy through Ross Correctional's mailroom on January 5,

2004. Therefore, the Court's deadline of January 10, 2004 in which to file objections to the Magistrate's twenty-seven (27) page Report and recommendation could never be met by the Petitioner whom is operating in a pro se capacity.

Fed.R.Civ.P. 6(b) permits the court for cause shown to extend a period of time in which an act must be performed. Petitioner, for cause submits that he is extremely limited in his knowledge of the law, and lacks sufficient access to the institution's law library because of his security status and staffing problems at the library itself. This being said, it would be impossible for Petitioner to prepare and timely submit a coherent and intelligent objection in this instance. Thus, Petitioner respectfully requests that he be granted an extension until January 30, 2004.

WHEREFORE, Petitioner prays that the relief requested in the within motion will in all respects be granted, and for any other and further relief that this Honorable Court deems just and appropriate.

Respectfully submitted,


Jerbein Eligio Mejia

CERTIFICATE OF SERVICE

A true copy of the foregoing was sent via U.S. regular mail to Bruce D. Horrigan, Assistant Attorney General, Corrections Litigation Section, State Office Building, 11th Floor, 616 West Superior Avenue, Cleveland, Ohio 44113-1899 on this 5th day of January 2004.


Jerbein Eligio Mejia
Inmate No. A391-808-00